

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MATTHEW TRAVIS HOUSTON,

Case No.: 2:25-cv-00836-APG

Petitioner,

Order Screening Habeas Petition and Dismissing Action

V.

JEREMY BEAN, *et al.*,

Respondents.

This action was initiated on May 13, 2025 as a petition for a writ of habeas corpus under S.C. § 2254, by Matthew Travis Houston, who is incarcerated at Nevada’s High Desert Prison, acting *pro se*. ECF No. 1. Houston challenges an aggravated stalking conviction and December 8, 2021 in Nevada’s Eighth Judicial District Court (Clark County). *See id.* Houston has not paid the \$5 filing fee, and he has not filed an application to proceed *in forma pauperis*. I dismiss the action, without prejudice, for that reason.

In addition, I have examined Houston's petition under Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts, and I find that this action is also subject to dismissal because the document that Houston has filed as his petition in this case—a "Petition to Establish Factual Innocence as an Emergency Petition for Writ of Habeas Corpus" signed by Houston on November 24, 2022—has been filed by Houston in another case: Case No. 3:24-cv-00605-ART-CLB. I take judicial notice of the record in Case No. 3:24-cv-00605-ART-CLB.

21 Case No. 3:24-cv-00605-ART-CLB, is also a habeas action, in which Houston challenges
22 the same aggravated stalking conviction that he challenges in this case. *See* ECF No. 1-1 in Case
23 No. 3:24-cv-00605-ART-CLB. Judge Traum has ordered Houston to show cause why that case

1 should not be dismissed on the ground that his petition is wholly unexhausted in state court. ECF
2 No. 4 in Case No. 3:24-cv-00605-ART-CLB. Houston has until May 28, 2025 to respond to the
3 order to show cause. ECF No. 22 in Case No. 3:24-cv-00605-ART-CLB. In response to the
4 order to show cause, Houston has filed nine documents that might be considered responses: ECF
5 Nos. 7/8 (identical), 9, 10, 16, 17, 18/20 (identical) and 19. *See id.* Two of those documents are
6 copies of the same document that Houston has filed as his petition in this case. ECF Nos. 18, 20
7 in Case No. 3:24-cv-00605-ART-CLB. So this case is duplicative of Case No. 3:24-cv-00605-
8 ART-CLB. I dismiss this case, without prejudice, on this additional ground.

9 I THEREFORE ORDERED that **this action is dismissed without prejudice**. I deny
10 Houston a certificate of appealability because jurists of reason would not find it debatable
11 whether I am correct in this ruling. The Clerk of the Court is directed to enter judgment
12 accordingly and close this case.

13 DATED: May 23, 2025.

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16 ANDREW P. GORDON
17 CHIEF UNITED STATES DISTRICT JUDGE
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